

STATEMENT OF KEVIN MCKEEVER

1. My name is Kevin McKeever.
2. This statement is made freely and without any obligation.
3. I was born on June 15, 1957, in Aurora Illinois.
4. I live at 6189 Linneal Beach Drive, Apopka, Florida 32703, with my wife and two children.
5. I attended one year of college at Seminole Community College in Sanford, Florida.
6. After attending college, I worked for over twenty-five years at the Florida Power Company.
7. On January 23, 2003, I took a job with Wackashaw Electrical Systems. My job title was "Service Project Engineer". I left that job on December 31, 2004. I am now a Field Service Manager for Assets Repair Commission Company.
8. Wackashaw manufactures and sells electrical transformers, and provides maintenance and services for electricity providers.
9. In my job at Wackashaw, I worked from home and on the road, calling on customers, providing price quotes and information about equipment and services. My territory included several states in the Southeast, including Alabama.
10. I was first acquainted with John, or, as I knew him, "Johnny", Beck after I started working for Wackashaw, when I was in Atlanta at a Wackashaw regional meeting.

11. When I knew him, Johnny Beck and his company Beck Associates was selling Wackashaw electrical equipment and services on commission in Alabama.

12. Johnny took me on a road trip through Alabama to visit electricity providers in Alabama during several days at the end of September, 2003.

13. I drove to Birmingham, Alabama for the beginning of this trip on the evening of Monday, September 22, 2003.

14. On Tuesday, September 23, 2003, I rode with Mr. Beck to Huntsville Alabama for a call on an electrical provider for the city.

15. I don't like being in little cars. I was uncomfortable riding in Johnny's car because it was small.

16. I was also uncomfortable because Johnny would change lanes frequently, talk on his cell phone, and generally be distracted while driving.

17. I joked with Johnny that I wouldn't ride in his car anymore because his driving scared the hell out of me.

18. On Wednesday, September 24, 2003, Johnny and I left Birmingham for Andalusia, Alabama, at about 7:30 or 8:00 o'clock A.M.

19. Like the other meetings on the Alabama trip, Johnny arranged the details for the Andalusia visit. We had a meeting there with the Alabama Electrical Cooperative about Wackashaw services. We were to arrive at Andalusia in time to take AEC out to lunch.

20. The weather on the September 24, 2003 drive to Andalusia was hot and sunny.

21. Mid-morning on Wednesday, September 24, 2003, while driving on U.S. Highway 31 South to Andalusia, Johnny's car collided with another car.

22. Before the collision, the road went over a bridge and widened from two to four lanes at about the same time.

23. As I came up over the bridge I could see further ahead because the road was elevated. I saw an intersection ahead of us, and a car that was turning left from a side road to go southbound on U.S. 31.

24. When the road widened from two to four lanes, I moved to the right southbound lane and Johnny remained in the left southbound lane.

25. At the time immediately before the collision, I was traveling at around 70 miles per hour. I was struggling to keep up with Johnny, who was driving faster than me, and was worried about driving so fast in a foreign state.

26. I was about 100 yards or more away from Johnny when I saw him looking down and to the side, away from the road. Apparently Johnny was looking into the console or armrest at the side of his seat. Johnny appeared distracted.

27. At the same time, I saw a car in front of Johnny, but couldn't tell how fast the car was going relative to us.

28. As soon as Johnny looked up, he laid into his brakes and tried to pass the other driver on the right.

29. Johnny's car skid and Johnny hit the car in front of him twice, both times on the passenger side of the other car. The front of Johnny's car struck the other car once, at an angle, and the back of Johnny's car struck the other car once.

30. Johnny's car disappeared in a cloud of what looked like talcum powder. I thought it was steam but it was actually the air bag.

31. After the collision, Johnny's car pulled to the right shoulder of the road and the other car went to the right shoulder as well. I pulled behind them on the other side of the intersection.

32. Johnny got out of his car first. I was trying to back up my truck off of the road. Johnny went to talk to the other driver.

33. When Johnny came over to me after going to the other car, I asked Johnny if the other guy was ok and if he was ok. Johnny said he was ok and that the other guy appeared to be ok.

34. I never spoke to the driver of the other car, and I never heard the driver of the other car say anything. In fact, I never went near the other car. I didn't figure it was any of my business.

35. Later, Johnny told me that he was "screwed" because the driver of the other car was on the board of the Alabama Electrical Cooperative. I told Johnny that he better not say anything about Wackashaw.

36. The driver of the other car eventually got out of his car, and talked on his cell phone. All three of us were talking on our cell phones at various occasions after the collision. I called my wife because I was unsure whether or not my trip was going to be cut short.

37. I don't know who called the police. I spoke to the investigating officer and told him what I had seen.

38. I was and am still shocked that Johnny did not get a ticket.

39. Johnny was upset after the collision but I don't recall any specific conversation about it.

40. We had our meeting with the Alabama Electrical Cooperative, but were late.

41. That night Johnny and I went to Gulf Shores, Alabama and spoke to electricity providers there on Thursday. I came back to Florida on Thursday evening.

42. Everything contained in this statement is true and correct to the best of my recollection.

Kevin McKeever

Date: